

MINUTE ITEM

23. (CONSIDERATION OF SUBSIDENCE COSTS - L.B. W.O. 10,050.)

After presentation of Calendar Item 20 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION CONDITIONALLY APPROVES THE TOWN LOT AREA PROJECT AS A SUBSIDENCE PROJECT AND THE COSTS PROPOSED TO BE EXPENDED THEREUNDER FOR PROPERTY PURCHASE, BUILDING REMOVAL, AREAL FILL, AND FOR "FORCE ACCOUNT" AS SHOWN ON EXHIBIT "A" ATTACHED, SUBJECT TO THE CONDITION, HOWEVER, THAT THE AMOUNT, IF ANY, OF SUCH COSTS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS DEDUCTIBLE UNDER SECTION 5 (a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE ITEMS OF WORK HAVE BEEN COMPLETED; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID ACQUISITIONS AND FILL; FURTHER, THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THE ACTING EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER OR THE MINERAL RESOURCES ENGINEER ARE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment

Calendar Item 20 (2 pages)

CALENDAR ITEM

MISCELLANEOUS

20.

(CONSIDERATION OF SUBSIDENCE COSTS - L.B. W.O. 10,050.)

On September 13, 1957 (Minute Item 32, pages 3510-12, L.B. W.O. 10,046) and on October 8, 1957 (Minute Item 16, pages 3561-63, L.B. W.O. 10,048) the Commission approved the costs proposed to be expended by the City of Long Beach in September 1957, October 1957 and November 1957 for Property Purchase, Areal Fill, Building Removal and Force Account in the Town Lot area project with the provisions that no estimate shall presently be made of the amount of subsidence deduction, and that no deductions be made by the City of Long Beach until Commission approval has been had. The above actions were made on a monthly basis rather than the 1957-58 Fiscal Year basis since the Town Lot project was not processed sufficiently to be proposed in its entirety and had not been reviewed in all its aspects by the staff. Information necessary for the above review had previously been requested from the Long Beach Harbor Department and is being prepared by them.

Since the Town Lot Project is not currently processed sufficiently to be proposed in its entirety, the Long Beach Harbor Department has again submitted request for current monthly expenditures for property acquisition, force account, building removal, and earth fill contract costs.

IT IS RECOMMENDED THAT THE COMMISSION CONDITIONALLY APPROVE THE TOWN LOT AREA PROJECT AS A SUBSIDENCE PROJECT AND THE COSTS PROPOSED TO BE EXPENDED THE UNDER FOR PROPERTY PURCHASE, BUILDING REMOVAL, AREAL FILL, AND FOR "FORCE ACCOUNT" AS SHOWN ON EXHIBIT "A" ATTACHED, SUBJECT TO THE CONDITION, HOWEVER, THAT THE AMOUNT, IF ANY, OF SUCH COSTS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE ITEMS OF WORK HAVE BEEN COMPLETED; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID ACQUISITIONS AND FILL; FURTHER, THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THAT THE ACTING EXECUTIVE OFFICER OR THE ASSISTANT EXECUTIVE OFFICER OR THE MINERAL RESOURCES ENGINEER BE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment
Exhibit "A"

EXHIBIT "A"

TABULATION OF COSTS PROPOSED TO BE EXPENDED BY THE
CITY OF LONG BEACH DURING NOVEMBER AND DECEMBER, 1957
ON THE TOWN LOT PROJECT

| | <u>LBHD ESTIMATED EXPENDITURES</u> | <u>SUBSIDENCE AUTHORIZATIONS</u> |
|---|--|--------------------------------------|
| <u>Property Purchases**</u> | | * |
| Area 4 (AFE 162) | | |
| Parcel 64 | \$ 25,500 | |
| Parcel 127 | 7,500 | |
| Parcel 235 | 10,300 | |
| Miscellaneous Costs (Appraisal, engineering, negotiating, legal and recording costs) | 12,425 | |
| Area 7 (AFE 163) | | |
| Lot 79 Tract 1960 | 1,853 | |
| Miscellaneous Costs (Appraisal, engineering, negotiating, legal and recording costs) | 13,147 | |
| <u>Building Removal</u> | | * |
| Specification HD 504 (DECEMBER) | 768 | |
| Specification HD 519 (DECEMBER) | 3,870 | |
| Specification HD 530 (NOVEMBER AND/OR DECEMBER) | 8,097 | |
| <u>Areal Fill (NOVEMBER AND DECEMBER)</u> | | * |
| Specification HD 404 | 300,000 | |
| <u>Raising a Portion of Area 7, AFE 163 for the East Approach to the Relocated Pontoon Bridge (NOVEMBER AND DECEMBER)</u> | 190,000 | * |
| <u>Force Account and Miscellaneous Vouchers, Other than Construction (DECEMBER)</u> | 25,000 | * |

* Subject to later determination by the State Lands Commission

** Expenditures approved hereunder to be completed by June 30, 1958.